

Date

Todd Wackerman  
3608 Elaine Place  
New Orleans, Louisiana 70119

**Re: Ethics Board Docket No. 2020-550**

Dear Mr. Wackerman:

The Louisiana Board of Ethics, at its February 5, 2021 meeting, considered your request for an advisory opinion as to whether your candidacy for elected office on the Orleans Parish School Board would be a violation of the Louisiana Code of Governmental Ethics.

### **FACTS PROVIDED**

You are currently the salaried Director of STEM Library Lab (“STEM”), a nonprofit that works with public charter schools in Orleans Parish and neighboring parishes. STEM offers a membership to local schools to STEM’s equipment lending co-op. Currently, 24 charter schools and charter management organizations in Orleans Parish have a paid membership subscription to STEM’s co-op. Orleans Parish does not provide any direct funding to STEM, which relies on paid memberships from subscribing schools and non-public third-party grants and donations.

The Orleans Parish School Board (the “School Board”) does not have any input into whether schools choose to pay for membership to STEM and does not otherwise regulate STEM in any capacity. You do not own a controlling interest in STEM.

The School Board does, under La. R.S. 17:3982 and the Charter School Accountability Framework (the “CSAF”), control and oversee the authorization, extension and renewal of charter schools in Orleans Parish.

You are currently interested in running for a position on the School Board.

### **LAWS**

**La. R.S. 42:1111C(2)(d)** provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial relationships with the public servant’s agency.

## ANALYSIS

As you would be paid by STEM, and STEM solicits business from schools that you would be overseeing as a member of the School Board, your service on the School Board while receiving a salary from STEM would be a violation of La. R.S. 1111C(2)(d).

## CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would not permit you to serve as a member of the School Board while simultaneously serving as the salaried Director of STEM.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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Charles E. Reeves, Jr.  
For the Board

**DISCLAIMER**  
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for decision purposes only and are subject to change or revision at the meeting of the Board of Ethics. This matter is considered.